

calm and caring leadership to help move the base ahead in a time of downsizing, realignment and change. During General Geis' tenure at Picatinny, TACOM-ARDEC has received numerous awards for its work on the Army's weapons of the future, including the Crusader Self-Propelled Howitzer, the Lightweight 155 Towed Howitzer, the Objective Individual Combat Weapon (OICW), and the Precision Guided Mortar Munition (PGMM).

Under General Geis' command, the awards bestowed upon Picatinny include the Army Communities of Excellence, Chief of Staff of Army Award; the New Jersey Quality Achievement Award; the U.S. Army R&D Organization of the Year; and the U.S. Army R&D Excellence Award. These awards acknowledge what I have long known, that the men and women working at Picatinny Arsenal are the recognized experts in munitions technology.

Mr. Speaker, I again commend General Geis for his 30 years of service to his country. I wish him and his wife Lee all the best in the years to come as they embark on their new life in Virginia.

UNFETTERED LEGISLATIVE DEBATE MUST TAKE PRECEDENCE OVER A WITCH HUNT FOR GAYS IN THE MILITARY—LETTER TO THE PRESIDENT INITIATED BY CONGRESSMAN BARNEY FRANK AND TOM CAMPBELL

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1999

Mr. LANTOS. Mr. Speaker, I rise today to express my strongest support for the efforts of our distinguished colleagues and my friends, the gentleman from Massachusetts, Congressman BARNEY FRANK, and the gentleman from California, Congressman TOM CAMPBELL, for their principled commitment to the sanctity of unfettered legislative debate. These two colleagues—one a Democrat and the other a Republican—acted quickly and responsibly by sending a letter to the President in the matter of Arizona State Representative Stephen May, who is facing possible discharge from the Army Reserves because he discussed his sexual orientation within a relevant context during an official debate in the Arizona House of Representatives.

Like my colleagues, I find it absolutely intolerable that a duly elected States legislator should be punished by the military for appropriate comments which he made during the course of an official debate in the Arizona State Legislature. Taking action against a State representative for what he said in debate as elected legislator is a violation of the spirit of the "speech and debate clause" of the United States Constitution. The overwhelming majority of my colleagues, on both sides of the aisle, have strongly defended the democratic privilege of American legislators to speak freely, without having to fear that they will be prosecuted for comments they choose to make during official, public debate.

Mr. Speaker, Congressman FRANK and Congressman CAMPBELL have written an eloquent defense of the principle of legislative debate to the President of the United States. I thank them both for their leadership on this issue,

and I ask that the full text of their excellent letter be placed in the RECORD. Mr. Speaker, I urge all of my colleagues to join in signing this excellent letter to the President.

HOUSE OF REPRESENTATIVES,
Washington, DC

Hon. WILLIAM J. CLINTON,
President, The White House
Washington, DC.

DEAR MR. PRESIDENT: We are writing to urge you to honor the tradition of full and unfettered legislative debate in America by instructing the Defense Department to drop charges against State Representative Stephen May of Arizona.

As you know, Representative May now faces potential discharge from the military because in his capacity as a member of the Arizona Legislature, during formal debate on legislative matters, he alluded to his sexual orientation in a context in which such an allusion was fully relevant.

The signers of this letter have varying views on the merits of the "Don't Ask, Don't Tell" policy regarding the military. But we do not write this letter as a commentary on that policy. Rather, we are writing because we as elected representatives believe strongly in that principle embodied in the "speech and debate clause" of the American Constitution which seeks to extend full protection to members of legislative bodies from any sanction for comments they legitimately make in the course of legislative debate.

We recognize, of course, that the speech and debate clause does not technically apply to members of State Legislatures. If it did, presumably this letter would be unnecessary. But we do believe in the policy embodied in that clause—namely that only when elected legislators are confident of their ability to speak out freely without any fear of external sanction from outside the legislative body can the process of representative government flourish.

As a student of Constitutional history, you know that this clause made its way into the United States Constitution in reaction to the harassment of members of the British Parliament that occurred in the 16th, 17th and 18th centuries. There was then a tradition of members of the House of Commons in particular suffering penalties for speaking freely in the course of legislative debate. Thus, the speech and debate clause as it is known says "and for any speech or debate in either House, they shall not be questioned in any other place."

The purpose of this is so that members of legislative bodies in fulfillment of their duty fully to represent their constituents need not fear that members of the Executive, or Judicial branches will penalize them for comments of which they disapprove. What is being proposed regarding Representative May is for the federal Executive Branch to punish an elected member of the Arizona State Legislature because of comments he chose to make that were fully relevant to a public policy debate in the legislature to which he was duly elected. We find it difficult to believe that you, as a believer in the importance of full legislative debate, would permit the Executive Branch over which you preside to punish an elected legislator for remarks made in the course of legislative debate.

As we noted earlier, we realize that the Constitutional clause protecting Members of Congress does not apply to State Legislators. But obviously the justification for that clause—preserving full freedom of debate—applies very strongly. Indeed, we believe there is an added policy reason why you should not allow your Executive Branch to penalize Representative May for comments

made in the course of legislative debate. That is the respect that the federal government ought to show for the democratic process within the states. The speech and debate clause says that no Members of Congress shall be made to answer "in any other place". Surely that applies with strong logical force to a situation in which the federal Executive Branch would reach down and take punitive action against an elected member of the Arizona Legislature. Certainly the Arizona Legislature ought to be considered by the federal Executive Branch competent to run its own affairs, and we believe that you will be setting a terrible precedent if you allow the military to go forward with its proposed action against Representative May.

While some have suggested that no Members of Congress, for example, should serve in the Reserves, that has not been our policy. The military clearly has strong views about many issues. And the general rule is that members of military are not to take issue with official policy. Are federal and state legislators who serve in the Reserves now to begin to censor their comments in relevant legislative debates lest they face sanctions imposed by the federal Executive Branch?

As you know, Members of Congress have long treated the "speech and debate clause" as a matter of high Congressional privilege, embodying a principle essential to the functioning of our democracy. Our history is replete with examples of the overwhelming majority of both Houses of Congress, including the bi-partisan Congressional leadership of both Houses, coming to the defense of legislators who are faced with potential sanction for remarks which they made in debate, even in cases where the overwhelming majority of legislators strongly disagreed with the remarks in question. If Representative May is to be subjected to the severe sanction of expulsion from the military, where he has served with such distinction and without any negative marks on his record, the principle that legislators must be free from having to answer in any other place for comments they choose to make in public debate will have been more seriously eroded than in any other single instance that we can recall in recent times.

We prepared to debate the Don't Ask, Don't Tell policy among ourselves in our contexts. But here, we ask you to show the respect for unfettered legislative debate that has long been a hallmark of American democratic practice and drop any effort to punish a duly elected member of a state legislature for comments made during the course of debate.

HONORING JOHN SEPULVEDA FOR HIS DEDICATED SERVICE TO THE COMMUNITY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1999

Ms. DeLAURO. Mr. Speaker, it is a great honor for me to rise today to join with the New Haven Hispanic community as they gather this evening to pay tribute to my dear friend, John U. Sepulveda. I regret that I am unable to join this evening's celebration though I am proud to convey my sincere congratulations to John as he is honored by Casa Otonal and the Hispanic community.

Before setting his sights on our nation's capitol, John was an active member of the New Haven community. A graduate of Yale